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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,245	08/15/2000	Dominique Hamery	1134	9683
22511	7590	12/21/2004	EXAMINER	
OSHA & MAY L.L.P. 1221 MCKINNEY STREET HOUSTON, TX 77010			LEE, Y YOUNG	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/622,245	HAMERY ET AL.	
	Examiner	Art Unit	
	Y. Lee	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 September 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-12 and 16 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 September 2004 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings were received on 9/30/04. These drawings are acceptable.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-12 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Mills (6,311,204) for the same reasons as set forth in Section 2 of the previous office action, paper number 7, dated 3/26/03.

[Claim 1]

A decoder for a digital audiovisual transmission system (Fig. 1), the decoder comprising a processor 20 for decompressing and displaying compressed digital picture data 52 and a memory (DRAM 40), characterized in that the processor is adapted to decompress and store an image file in its substantially original format and subsequently to convert the image file to at least a second format for storage and display 60 based on a capacity of the memory 40 and an operation of the processor, the first and second

format versions of the image file being stored contemporaneously in the memory. For details, see col. 8, line 33+, col. 9, lines 17+, col. 12, lines 27+, and col. 13, lines 55+.

[Claim 2]

A decoder...in which the processor is adapted to convert the image file into a plurality of formats stored contemporaneously with the original version in a memory of the decoder as claimed, reads on Mills at col. 2, lines 18-41.

[Claim 3]

A decoder...which the processor is adapted to read and display multiple format versions of an image file stored at that time as claimed, reads on Mills at col. 2, lines 18-41.

[Claim 4]

A decoder...in which the processor is adapted to define a plurality of regions in a graphic layer corresponding to a region of the display, each region being defined in part by a location coordinate and by the format version of the image files that are processed by the graphic processor and displayed in this region as claimed, reads on Mills at col. 13, line 10+.

[Claim 5]

A decoder...in which the processor is adapted to convert an original image file destined to be displayed in a region into a version corresponding to the format version currently used in that region as claimed, reads on Mills at col. 14, line 65+.

[Claim 6]

A decoder...in which the processor is adapted to process images in the graphic layer superimposed over real-time audiovisual digital data and corresponding to one or more layers displayed on the screen beneath the graphic layer as claimed, reads on Mills at col. 13, line 10+.

[Claim 7]

A decoder...which the processor is adapted to decompress picture data sent in a compression standard that uses a look-up table as claimed, reads on Mills at col. 2, line 42+, col. 13, line 10+.

[Claim 8]

A decoder...in which the processor is adapted to decompress picture data sent in a standard that uses a red/green/blue color value associated with each pixel as claimed, reads on Mills at col. 13, line 10+.

[Claim 9]

A decoder...in which the processor is further adapted to directly decompress picture data regardless of its compression format into a image file of a predetermined format as claimed, reads on Mills at col. 2, line 20+.

[Claim 10]

A decoder...in which the processor may be further adapted to directly decompress picture data into a format which uses a look-up table as claimed, reads on Mills at col. col. 2, line 42+, col. 13, line 10+.

[Claim 11]

A decoder...in which the processor may be further adapted to directly decompress picture data into a format which uses a red/green/blue color value associated with each pixel as claimed, reads on Mills at col. 13, line 10+.

[Claim 12]

A decoder...in which the processor comprises a general processor for decompressing digital picture data and a graphic processor for preparing the decompressed data for display as claimed, reads on Mills in Figure 1 and its respective disclosure.

Claim 16 in its entirety is encompassed by claim 1 above, thus the grounds for rejecting claim 1 also apply here. See also col. 2, line 20+.

Response to Arguments

5. Applicant's arguments filed 9/30/04 have been fully considered but they are not persuasive. Applicant asserts on pages 6-11 of the Remarks that Mills fails to disclose a first and second format versions of the image being stored contemporaneously in a memory. It is noted applicant selectively recited lines 27-47 of column 12, for example, and concluded that Mills fails to recite the present invention. However, a closer reading of column 12, lines 49-65, for example, show Mills discloses that the processing system 10 is configured to decode various format versions according to the MPEG standard. As illustrated in Figure 1, the processing system 10 of Mills stores the image files in memory 40, which is comprised of different buffers (col. 10, lines 27-49). Therefore, it is submitted that the various buffers within memory 40 is adapted to contemporaneously store different versions of the images for the processing system 10.

Applicant also asserts on page 8 of the Remarks that Mills does not disclose image processing based on a capacity of the memory and operation of the processor. However, column 9, lines 21-26 recites that the entire decoding process is dependent upon the capacity of the memory. Furthermore, one of ordinary skill in the art would have no difficulty in recognizing that the entire decoding process of Mills is based on the operation of the processor 20.

6. In response to applicant's argument on page 10 of the Remarks that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., determining whether it is necessary to convert the original image into a fixed format thereby ensuring the highest quality of an image) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y. Lee whose telephone number is (703) 308-7584. The examiner can normally be reached on (703) 308-7584.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Y. Lee
Primary Examiner
Art Unit 2613

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